

May 21, 2007 remarks of Larry Sanders, President, Straits of Mackinac Shipwreck Preserve Association concerning the proposed "Great Lakes State Park" legislation.

Thank you Mr. Chairman and members of the committee for allowing me to speak with you today about this package of bills to create a "Great Lakes State Park".

My name is Larry Sanders. I am President of the Straits of Mackinac Shipwreck Preserve Association. We are based at the offices of the St Ignace Chamber of Commerce but our membership is statewide. We are a non profit corporation that acts independent of the state to buoy the 12 major shipwrecks in the Straits of Mackinac and to provide education and promote tourism there.

I am not bragging, but I think you need to know my qualifications to speak today on these subjects. I have been diving about 20 years. The last 10 I have dove exclusively in the Straits spending each summer weekend there and many weeks. I have written 2 articles on diving in the Straits and have another in progress, I have prepared and presented a power point program that has been used around the state and I and others have purchased materials for buoying. What I tell you today is not speculation but based on this real experience.

The association owns and places, at its own expense, buoys on the shipwrecks in the Straits. This is expensive and carries risk with it but the legislature has never appropriated money to do it. Without buoys, fewer divers will come and grappling hooks will be used to grab, destructively, the wrecks.

For the most part, 3 of us, one recently died diving, buy the buoys, rope, and tackle to place the buoys. We make up the lines ourselves by weaving eyes into the ends. Our group dives to place the buoys and one of the charter operators donates the use of his boat and pays for fuel.

In doing this, we are incurring personal liability and using our own money to both encourage diving there because we love it and to make it safer for the resources and the divers. Many people think the state does it.

The state has had a long standing opportunity to pay for these activities. It created the Underwater Preserve system in 1980 that is 27 years ago, but has never funded any activity there. Volunteers pay and do what the state has not.

I want to address four issues today. Before I do, I have prepared and distributed an appendix to my remarks and I ask the chairman to accept it as an extension of these remarks.

I also note that these 6 bills, 3 of them before you today, cannot be understood in isolation without organizing them and pasting them into existing law. When done, it shows the 3 separate parts of the law impacted: Hunting, State Parks, and Aboriginal Antiquities (Underwater Preserves).

In 1994-95, the legislature reorganized the DNR laws to make sense and clarify them because they had become confused and scattered over the years. The result was the Natural Resources and Environmental Protection Act or NREPA. If adopted, these bills will confuse the careful codification of these laws by merging and overlapping parts of these 3 parts. For instance a "State Park" is created in the provisions for "shooting and hunting" instead of the State Parks System. This mixing of chapters is exactly what the legislature set out to end when the laws were codified.

There are four substantive issues I will briefly address:

1. This is not an existing "state park", if made it upsets the NREPA balance
2. Any increase in "tourism" is unlikely due to a short season; required equipment; and training and experience
3. Diving is expensive and dangerous; it is not something for novices
4. A "Great Lakes State Park" has serious budget implications; it will cost thousands even if nothing is done; and the \$15 voluntary fee will not raise much money, if any to pay for it.

1. These laws actually "create" a new state park.

The legislation itself says so in several places using the words "create and "establish":

SB 429 says:

(2) THE GREAT LAKES SUBMERGED LANDS DESCRIBED IN SUBSECTION (1) SHALL BE MANAGED BY THE DEPARTMENT AS PART OF THE **GREAT LAKES STATE PARK CREATED** IN SECTION 74127. (emphasis added).

HB 4638 says:

(1) The ~~underwater~~ GREAT LAKES STATE PARK AND salvage and ~~preserve~~ ADVISORY committee is created in the department to provide technical and other advice to the department and the department of history,

arts, and libraries with respect to their responsibilities under this part,
UNDER PART 325, AND WITH RESPECT TO THE GREAT LAKES
STATE PARK CREATED IN SECTION 74127.
(emphasis added)

HB 4640 says:

THE GREAT LAKES STATE PARK IS ESTABLISHED. THE
GREAT LAKES STATE PARK SHALL INCLUDE ALL SUBMERGED
BOTTOMLANDS WITHIN THE TERRITORIAL BOUNDARIES OF
THE STATE THAT ARE UNDER THE OWNERSHIP OR CONTROL
OF THE STATE. (emphasis added)

The proponents of the bills place reliance on an 1899 law for "shooting and hunting grounds" and a subsequent Attorney General opinion from 1976 that makes a passing reference to this park. There are problems with this. The word "park" used in the 1899 law does not mean "state park". It means "park" as a place open to the public. The law itself says this land is "dedicated for a public shooting and hunting ground, for the benefit and enjoyment of the people of the state. This park shall extend" and then it describes the boundaries. The park described is not a "state park".

The laws relating to the DNR were recodified in the mid 90's to organize them, cut out the overlap and clarify its organization. In doing so, a chapter under hunting was created to include "shooting and hunting provisions". A separate chapter independent of it was created to set up a "State Park System". It defines a "state park" as being designated by the DNR director.

The distinction and isolation of the 2 chapters can be seen by reviewing the organization of the statute:

ARTICLE III NATURAL RESOURCES MANAGEMENT, MCL
324.30301-324.83109

CHAPTER 2 MANAGEMENT OF RENEWABLE RESOURCES
(324.40101...324.52909)

SUBCHAPTER 1 WILDLIFE (324.40101...324.43303)

PART 415
PUBLIC SHOOTING AND HUNTING GROUNDS
(324.41501...324.41515)

CHAPTER 4 RECREATION (324.70101...324.83109)

SUBCHAPTER 2 PARKS (324.74101...324.76118)

PART 741

STATE PARKS SYSTEM (324.74101...324.74126)

Any analysis of the status of "shooting and hunting grounds" is not relevant and must be analyzed in light of this new organization.

As an aside, in the recodification, the 1899 law was repealed and then replaced by the entirely new chapter on hunting with similar shooting and hunting provisions.

The Michigan Supreme Court has dealt with bottomlands claims by adjacent property owners, once in the 1960's and again in 2005 in Glass v. Glass, which permitting the public to walk along the lakeshore in front of private property. In both cases, no one ever brought up this "existing" state park.

It is easy to confuse the terms "public trust doctrine" and "state park" but they are not the same and are easy to confuse. The public trust is a reservation of bottomlands for public use. A "State Park" under NREPA is state land that is "designated" by the DNR director as one.

This is further discussed in greater detail in the written appendix to this testimony.

2. Any tourism increase is speculative and may actually be undesired.

We need to look at the real world. Since 2003, our Association has received data on the divers coming to the Straits based on the divers using the air station as a major charter. The data for 2006 is not yet compiled but information for 2005 is.

This information is shown in the attachments in the appendix:

- Chart shows total number of divers coming to the Straits - it varies by year and is sensitive to temperatures and the price of gas among other conditions. It should be noted that many of these year to year increases are repeats who come each year.
- The pie chart shows what states the divers come from. It is largely on a regional basis. One reason is the difficulty of transporting the diving equipment. Most do so.
- The next chart shows the monthly distribution of divers. Michigan has a 3 1/2 month season. It is shorter as you go north.
- The next pie chart shows what divers spend for a typical week of diving. Weekends are the most common pattern. This is partly due to the weather.

charters operating only on weekends and air stations do the same. The diver's largest expense is for gas and charters. The gas may not be purchased locally. Some divers camp and most stay in cheaper motels.

Properly trained and equipped divers can dive safely in Michigan but care must be exercised when inviting many divers to come to Michigan as "tourists". This is perhaps the only activity our legislature has declared to be an inherently dangerous one in which the participant assumes the risk of serious injury or death. We should pause to ask why the state should create a state park to do this "inherently dangerous" activity. Especially since government immunity has an exception for gross negligence.

- The equipment used in the Great Lakes is unlike simple Caribbean diving in warm water with aluminum tanks. The photos show the extensive equipment.
- The water is very cold at 35-40 degrees on the bottom all the time. Poor, variable visibility is common. The photos show this too. Strong currents are common at depth and on the surface. These elements combine to make diving here really dangerous - just as the legislature has declared.
- Shipwrecks are the most common dive sites. They sit in various conditions and positions. The Cedarville is virtually upside down and very confusing. People go into the engine room and stir up the silt. I have seen an inexperienced diver pounding on the hull for his life with only his head sticking out of a porthole. Wrecks can attract divers like a moth to a flame. Shipwrecks can be very dangerous to dive. Risks of entanglement, getting lost by penetrating inside, getting separated from the buddy and simply running out of air all combine to make this very demanding diving.
- People dive beyond their skills because they are often "macho" and push the limits.
- People die regularly. Not to be melodramatic but I have seen 4 dead in the Straits. I have brought dead divers back. One of the dead divers was my best friend last Labor Day. I have done 2 eulogies. And, personally, I am not anxious see anyone do that again. Please do not be naïve about this. "Tourism" at any cost may be measured in lives lost.
- There is more on this subject in the attachment charts.

3. A "Great Lakes State Park" has serious budget implications.

There is no existing infrastructure for the state to use. It will all have to be created and paid for.

Buoying is a primary start up cost. As a state park, unlike underwater preserves, the DNR and NRC can charge fees and issue bonds for improvement and the state has limited government immunity.

We preserve committees, as private groups, have been doing this in the past because the state never funded the underwater preserves and they had no power to impose fees. Many divers think the state pays for the buoy program now. As a state park, it will no longer be fair to expect the rest of us to provide the buoys, install and remove them and assume the risks of injury to ourselves and liability if someone gets hurt using a buoy we installed. It is actually possible we will become trespassers in a state park if one is created and we continue to do this.

If no one places buoys, this resource will be impaired. Divers of all sorts will use grappling hooks to grab the wrecks. Those hooks damage and tear off parts of wrecks.

We have estimated the cost to buoy the shipwrecks in the Straits. It is more than one buoy on each wreck. On popular ones, we place up to 3 buoys.

The estimate to do this buoy program in the Straits is on the chart in the appendix. It is approximately \$40,000 not including shipping or transportation costs. This is not just a one time per year expense, on going maintenance will be required as buoys come loose or are damaged.

The amounts for buoys and lines are based on our own record of expenditures. The buoy placement assumes the block can be placed for about \$1,000 each. It also assumes only one charge to go to each wreck regardless of the number of blocks placed there. A marine contractor will probably be required to do it. If a "Great Lakes State Park" is created, an appropriation for this must be made immediately for the buoy program to continue. It will have to be repeated 10 times in some amount to cover all 11 preserves.

But there are more costs:

1. The State will need to take an active role using conservation officers or others for body retrieval and emergencies. We do some now - especially in deep water. The Coast Guard only does surface search and rescue. The local sheriff, if it has a dive team and many do not, takes time to get together and has depth limits (OSHA) and its equipment and training may be marginal. The State police can do it but they come from Lansing.
2. The DNR will need its own divers or contract divers. The buoys will have to be maintained and help will be required in emergencies. The national

park service at Isle Royale has its own divers for this. The risk of injury to these divers will also be present.

3. Boats and fuel will be necessary to enforce the laws, for rescue, and for buoy service.
4. The state will still be liable for "gross negligence".
5. The state may be drawn into lawsuits with adjacent property owners.
6. The state needs to plan for the use of recompression chambers and how to get injured divers there. There are only 2 in Michigan now - Marquette and Kalamazoo. One is available at Milwaukee.
7. If diving all over the Great Lakes is to occur, the State will have to create a system of local air stations for air fills. Remote areas do not have them and many existing ones are only open part time. This will require the initial capital to buy several compressors, locate them around the state, maintain them and have someone operate them.
8. If this program is unfunded and someone is injured by the lack of state action, will it expose the state to any liability?

4. There is no funding in place to pay for this.

Using the 2004 budget from the state parks citizen committee (attached in the appendix), that is the last one we can find, even one recreational area with no visitors cost \$28,000 that year to "operate" it. That is an unattended recreation area with no income named the Bass River Recreation Area in Ottawa County.

The legislation proposes a \$15 "voluntary" payment. How much can this raise? This is broken out on 2 charts attached in the appendix.

The first chart assumes 1000 divers/preserve (that is double all the divers that came in 3 years to the Straits but bear in mind that some of the same divers come @ year)

- Produces maximum of \$165,000
- Net amount at in percentages paid is broken out in % from 100% to 75% and so on down to 5%
- Reality is less than 5% = \$8,250

The second analysis assumes that all the divers from the Straits for 3 years come to each preserve in a single year (again some are repeats)

- Produces maximum of \$82,500
- Nets shown are broken out to 5% = \$4,125

Both of these charts overstate the actual Straits numbers by several magnitude but we have done so to liberally allow for any divers we did not count.

There are more problems. Who will collect this fee? Where can it be paid and tokens distributed? What is the cost to the DNR and Treasury to keep track of it?

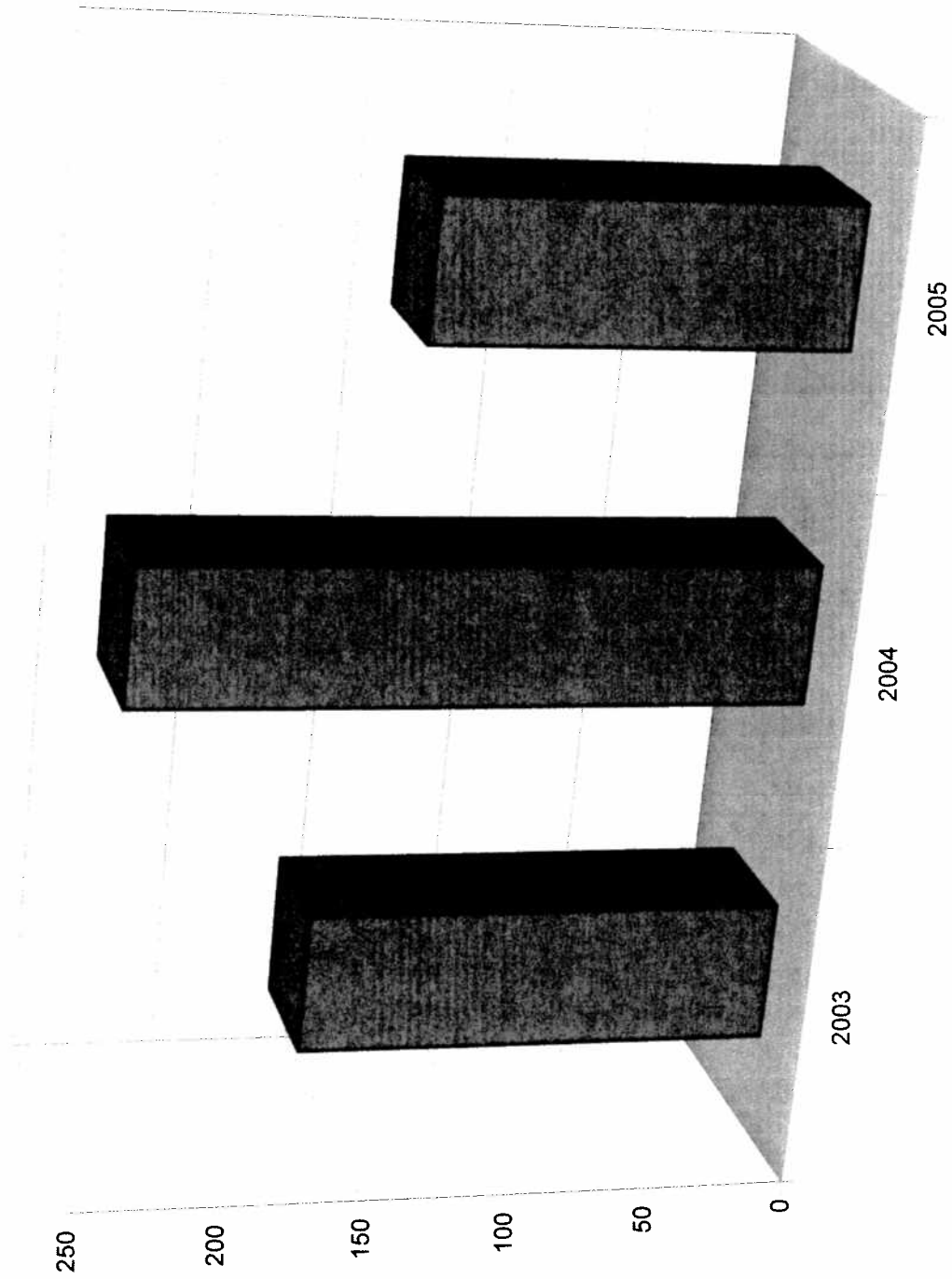
In summary:

1. This is not an existing "state park" and making it one actually upsets the NREPA statutory balance
2. An increase in "tourism" is unlikely due to the short season; equipment required; and necessary training and experience
3. Diving is expensive and dangerous it is not something for novices or the naive
4. The proposed "State Park" has serious budget implications; it will cost thousands even if nothing is done; and the \$15 voluntary fee will not raise much money, if any.

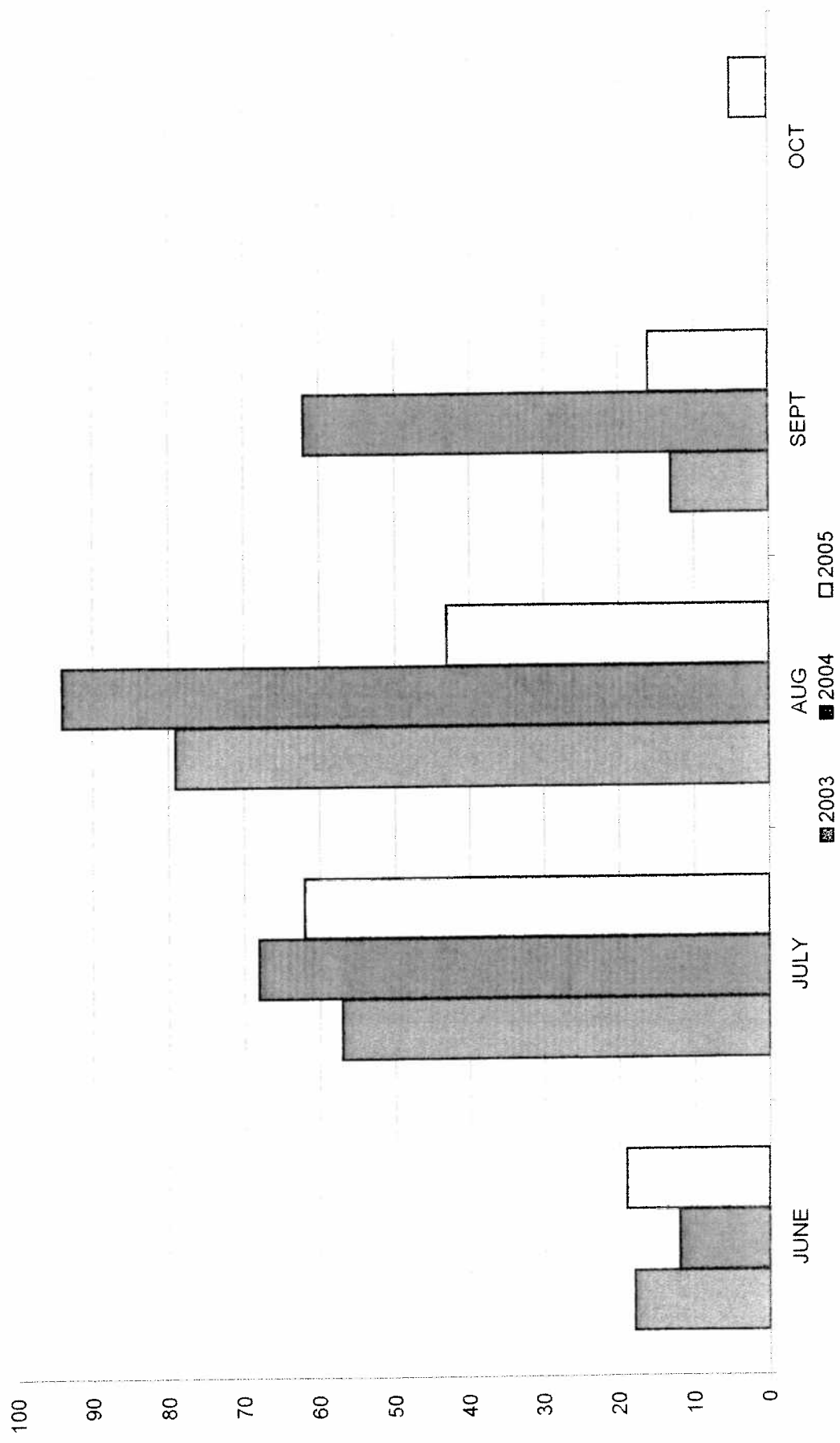
Some people may be surprised, but there are concepts in this legislation that divers could endorse. I do not want to presume to speak for them but that is my belief. What this legislation needs is discussion by interested parties, the DNR, DEQ, HAL and legislators. It needs to be rewritten so that it is in a logical and consistent form. This was not done here. If the legislature is inclined to do anything, appoint a study group on this subject or refer it to the standing Underwater Salvage and Preserve Committee in the DEQ with a mandate to report back to the senate and house by a date certain.

Thank you.

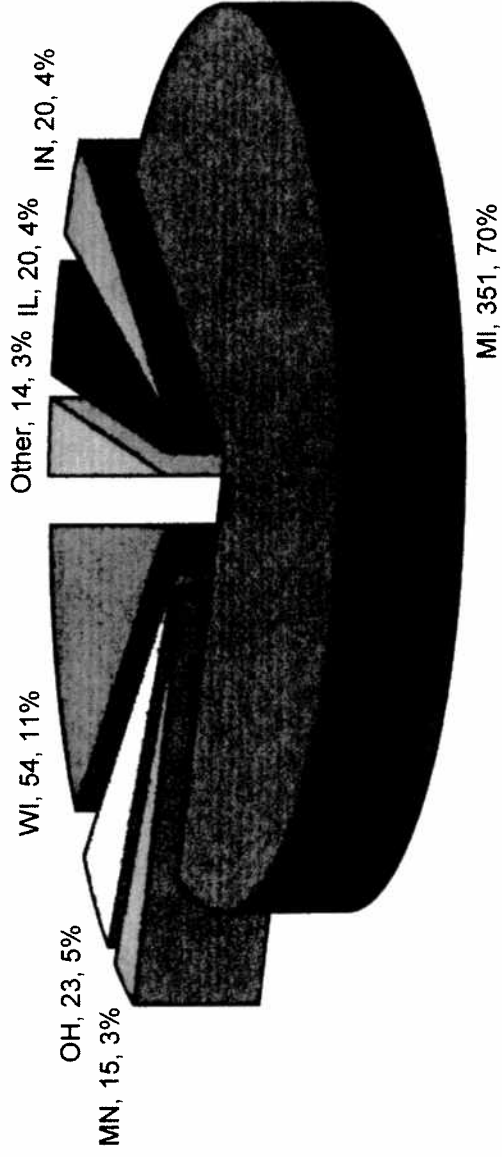
**Straits of Mackinac
Total Divers Annually 2003-2005**

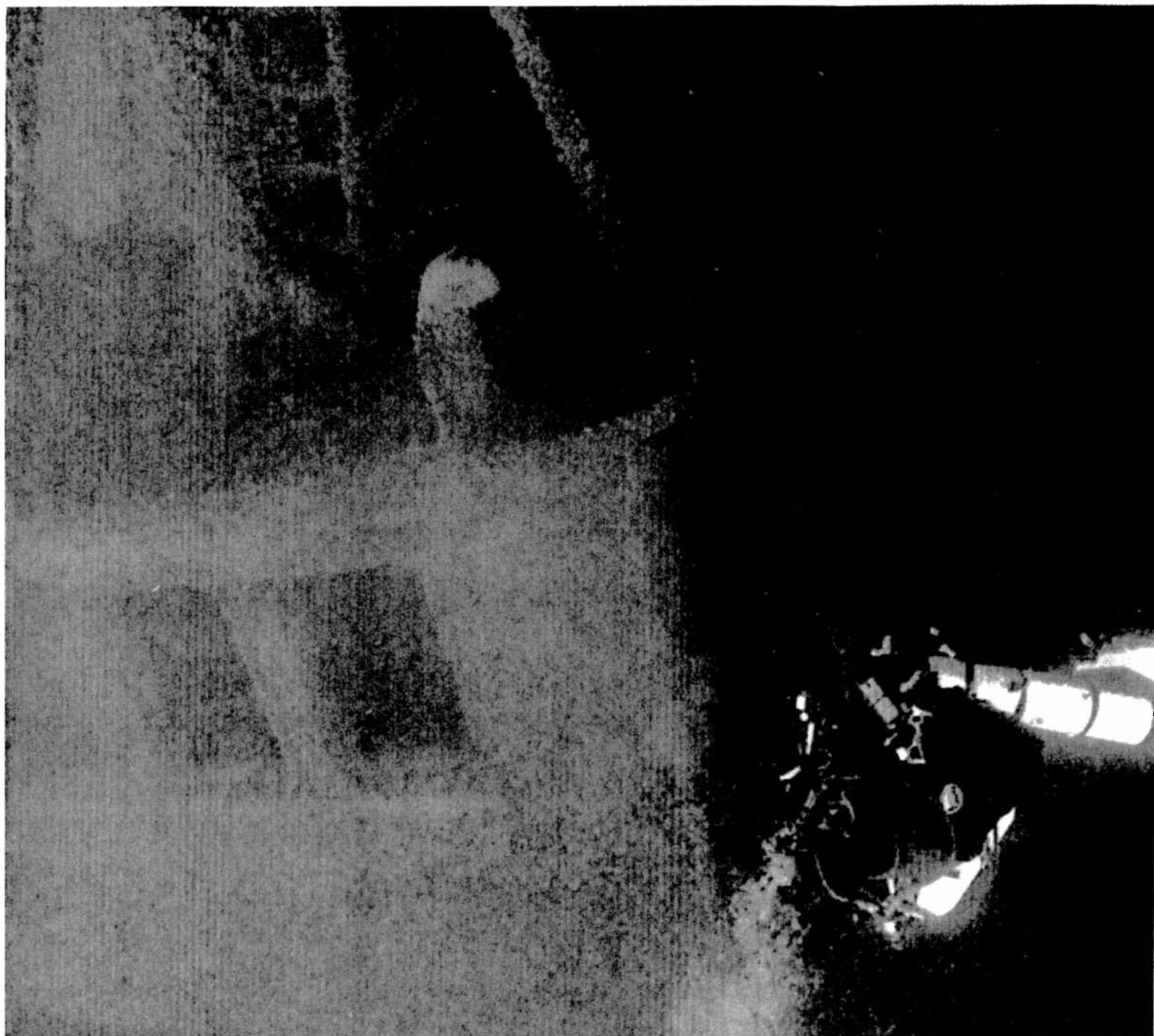


Straits of Mackinac (Rec Diver) **Monthly Distribution of Divers 2003-2005**

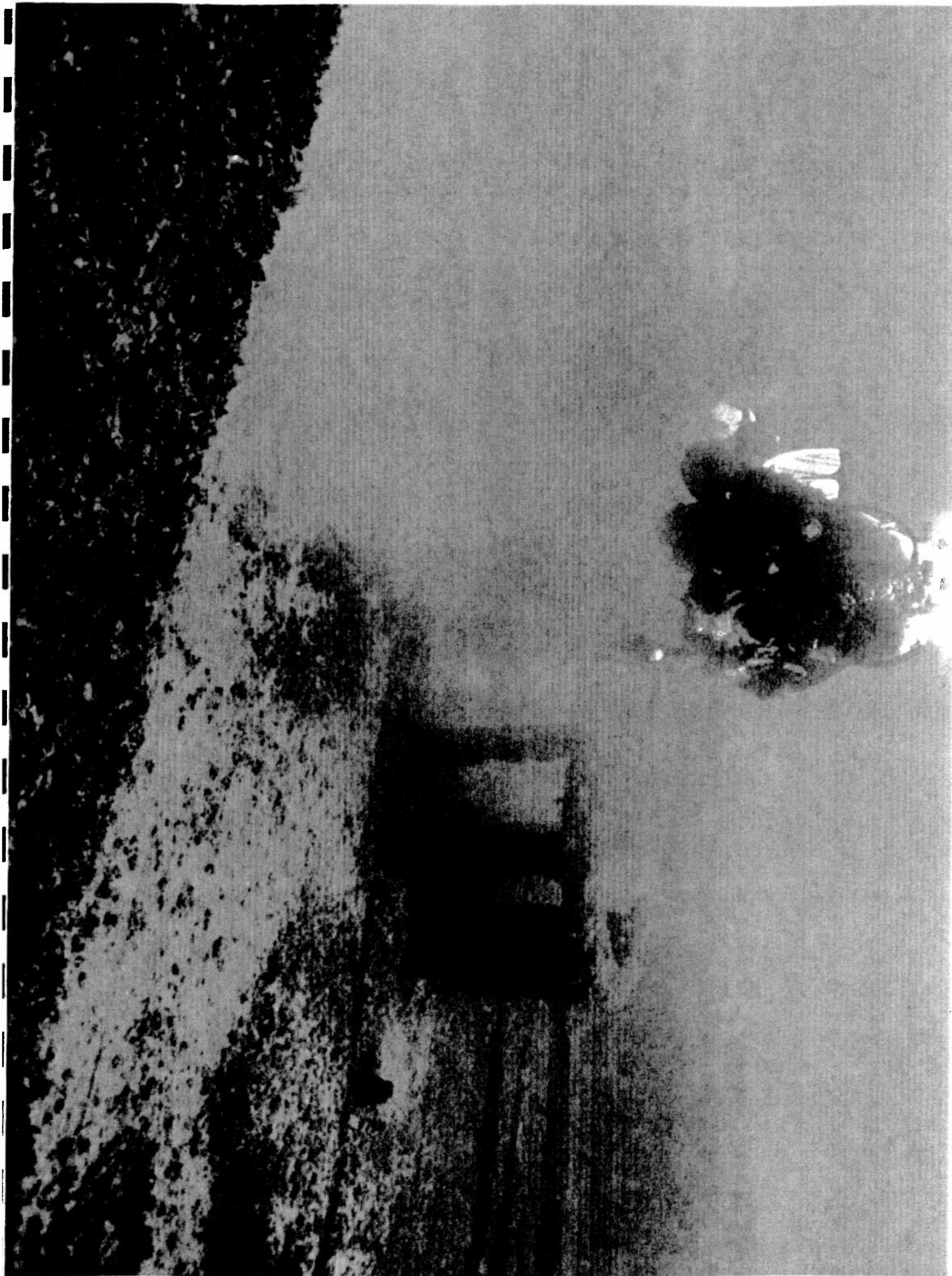


**Straits of Mackinac
Diver Distribution
2003-2005**



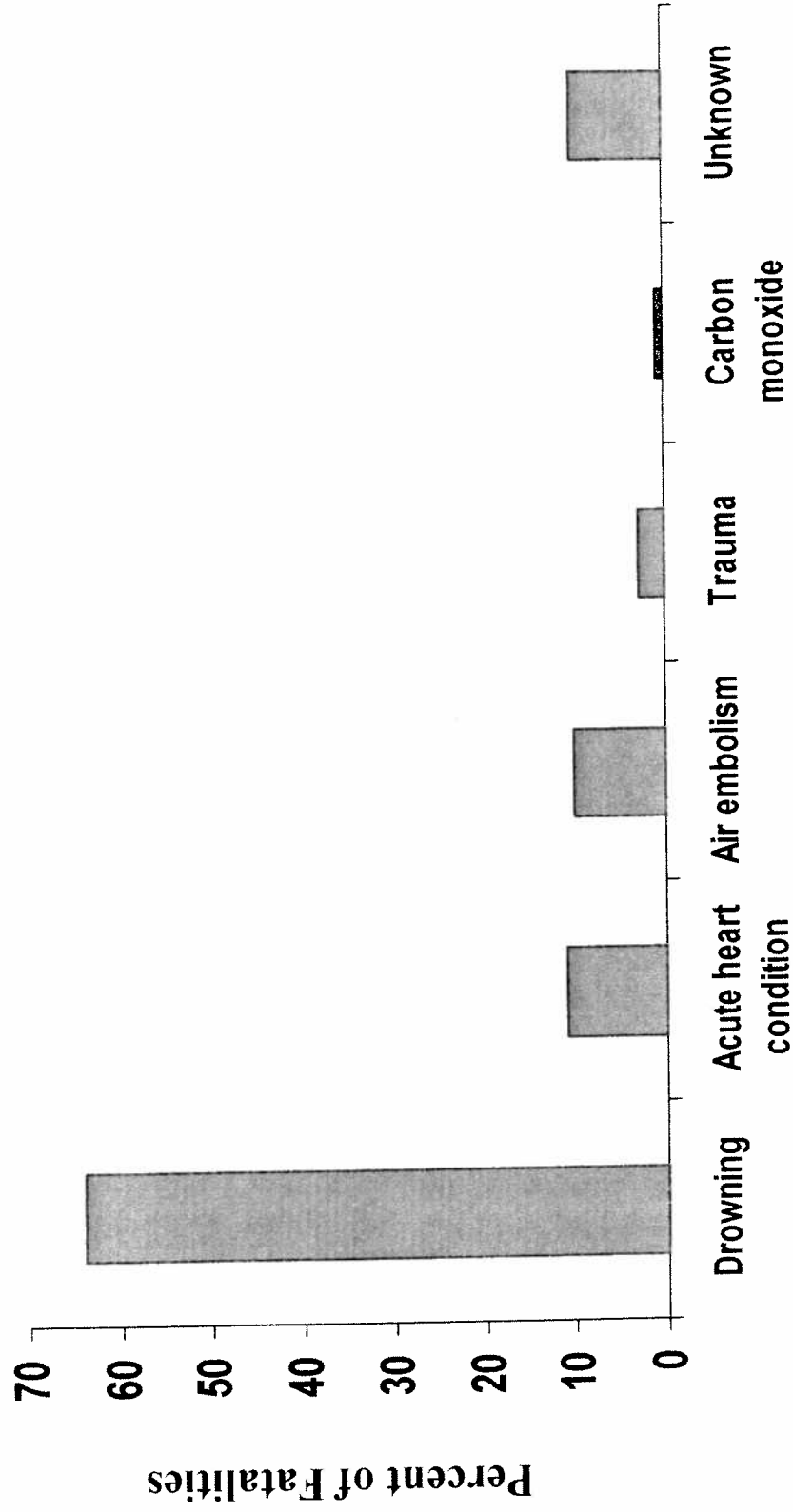






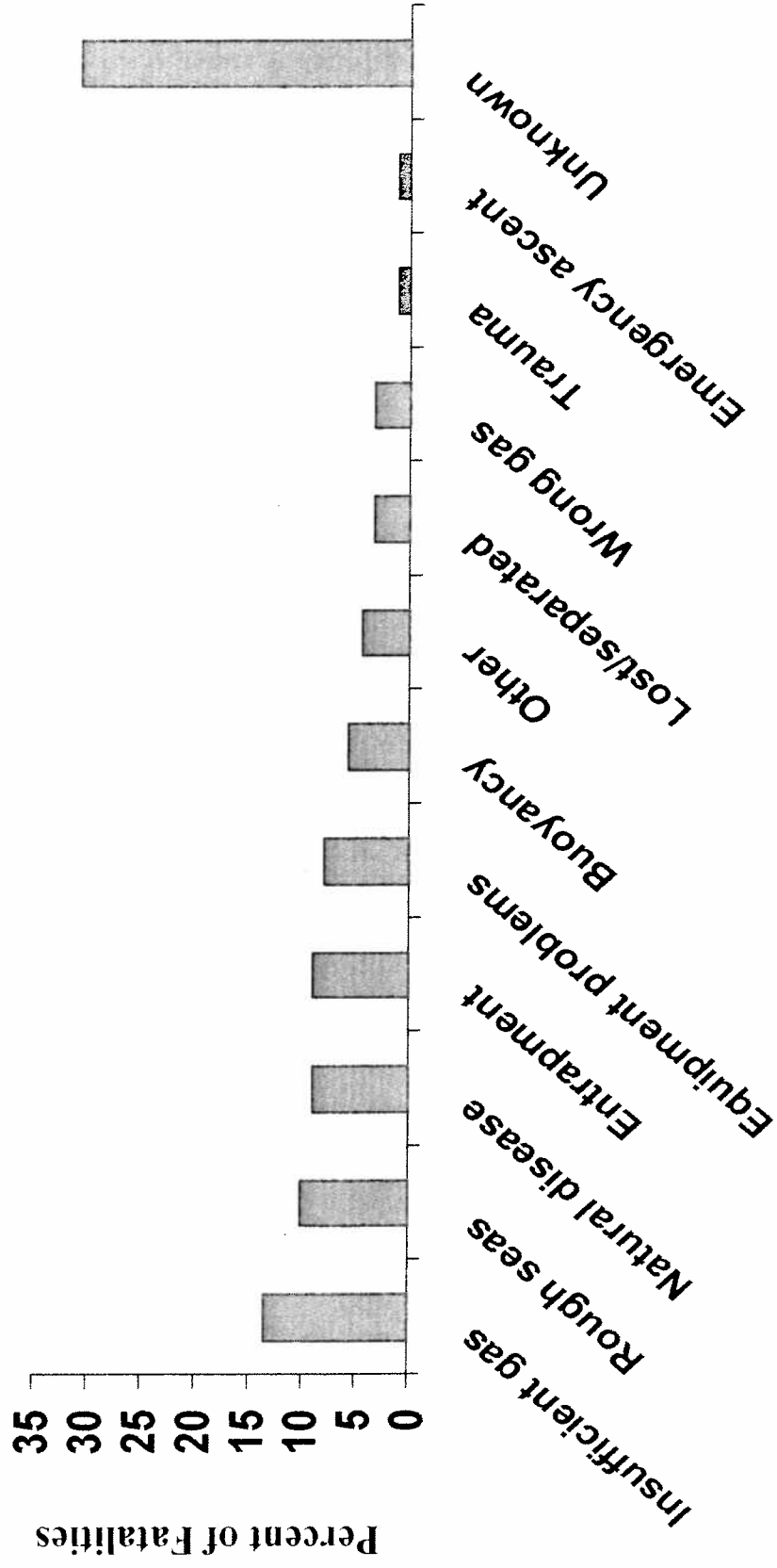


Cause of Death



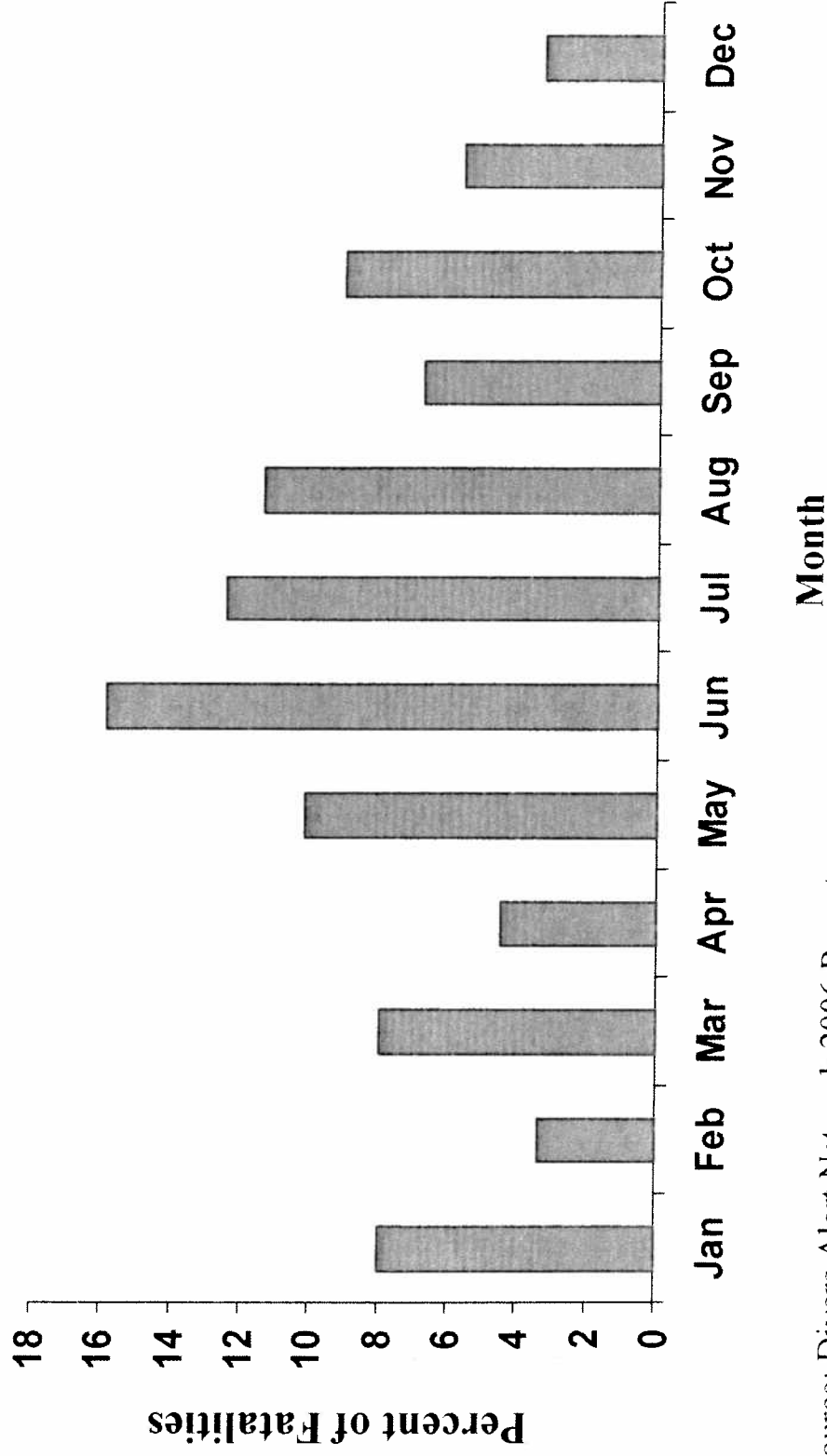
Source: Divers Alert Network 2006 Reports

Initial Triggering Event



Source: Divers Alert Network 2006 Reports

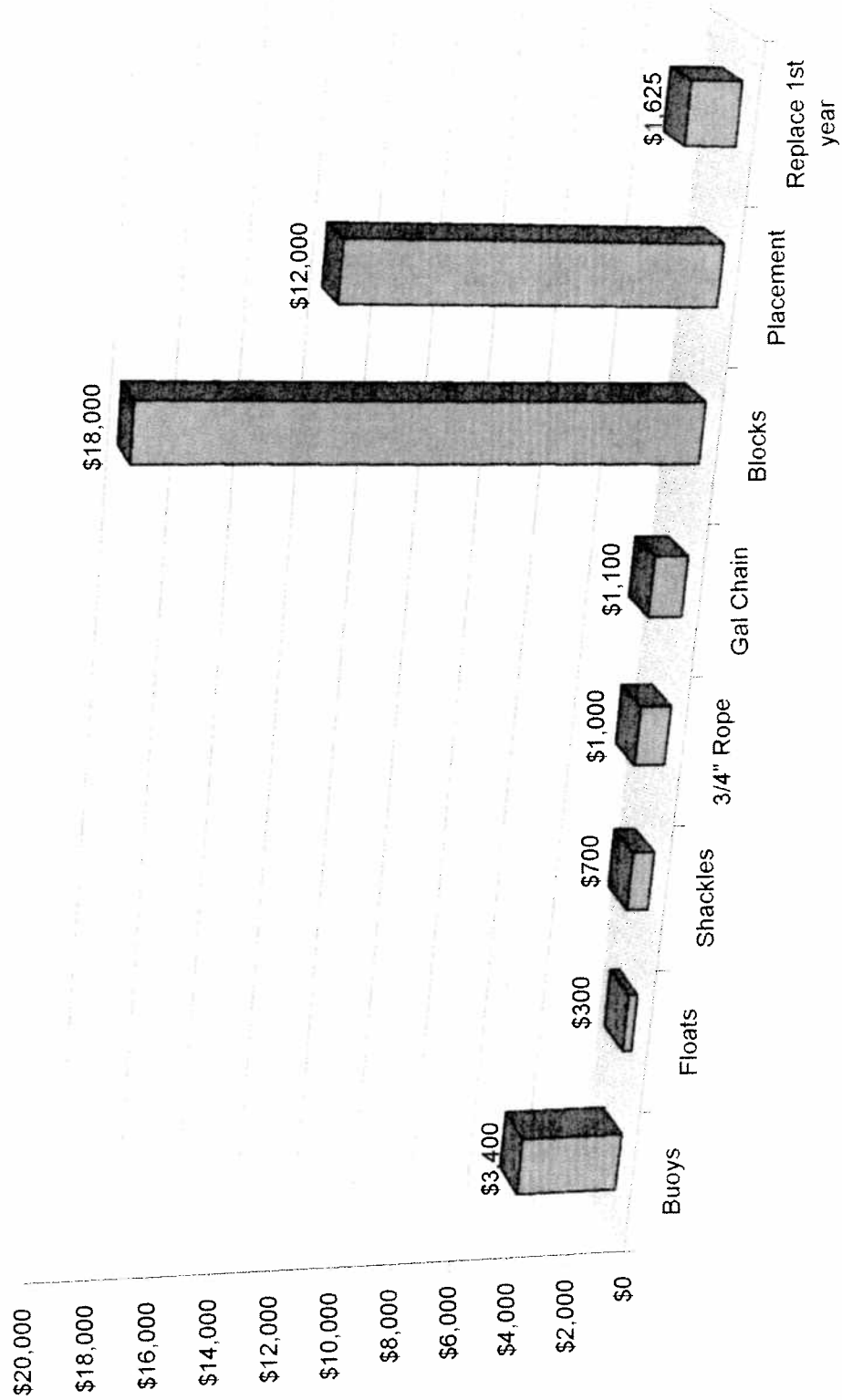
Month When Diver Deaths Occurred



Source: Divers Alert Network 2006 Reports

**First Year Cost Analysis
to Place Permanent Mooring Buoys on 12 Shipwrecks in the Straits of Mackinac**

Total Cost \$38,125



Projected Annual Receipts from \$15 Voluntary Fee Based on Use of Straits of Mackinac^{1/2}

Assuming 1000 Divers per Preserve³

x 11 Preserves
11,000 Divers
x \$15 voluntary fee

\$165,000 Maximum fees generated / year

\$123,750 at 75% contribution rate

\$82,500 at 50% contribution rate

\$41,250 at 25% contribution rate

\$33,000 at 20% contribution rate

\$24,750 at 15% contribution rate

\$8,250 at 5% contribution rate

Assuming 500 Divers per Preserve⁴

x 11 Preserves
5,500 Divers
x \$15 voluntary fee

\$82,500 Maximum fees generated / year

\$61,875 at 75% contribution rate

\$41,250 at 50% contribution rate

\$20,625 at 25% contribution rate

\$16,500 at 20% contribution rate

\$12,375 at 15% contribution rate

\$4,125 at 5% contribution rate

¹ These calculations are based on the assumption that all 11 preserves have the same diver volume as the Straits. The Straits is one of the 3 most heavily visited preserves (Sanilac and Alger are the others). Consequently, these calculations are very liberal.

² The method of collecting this donation and the cost to do so is unknown.

³ This number of divers is a very liberal estimate. It assumes that all of the recorded divers using the Straits from 2003-2005 come in a single year to every preserve and doubles that. Without doubt, this number is much greater than can be realized for some time.

⁴ This number of divers is also very liberal. It assumes that all the divers using the Straits from 2003-2005 come in a single year to every preserve. This number is, as in the other estimate, is too high based on current available information.

Projected Annual Receipts from \$15 Voluntary Fee Based on Use of Straits of 3

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State Park and Recreation Financial Detail and Performance									
Source: 2004 Report Michigan State Parks Citizen Committee									
	Park Revenue Total	FY04 Park Expenditures Only	Difference Park Revenue to Park Expenditures	Ratio Revenue to Expenditures	FY05 Recommended Budget	Recommended Optimal Budget	FY04 Hours of Effort	FY04 FTE's	
State Parks & Recreation Areas w/ Camping									
PORCUPINE MTN. SP, SKI HILL & V	\$715,076.76	\$1,008,657.20	(\$293,580.44)	70.89%	\$1,013,694	\$1,115,261	35,785.0	17.2	
STRAITS STATE PARK (3)	\$140,419.94	\$376,924.67	(\$236,504.73)	37.25%	\$406,753	\$468,830	14,877.2	7.2	
BRIGHTON RECREATION AREA	\$323,602.20	\$514,547.97	(\$190,945.77)	62.89%	\$527,664	\$602,979	18,354.9	8.8	
FAYETTE STATE PARK	\$112,915.68	\$280,976.94	(\$168,061.26)	40.19%	\$312,195	\$354,584	10,428.1	5.0	
WATERLOO RECREATION AREA	\$685,119.43	\$831,100.40	(\$165,980.97)	80.03%	\$820,243	\$897,922	32,295.6	15.5	
BAY CITY REC AREA & VISITORS C	\$345,122.25	\$476,120.54	(\$130,998.29)	72.49%	\$490,767	\$562,640	18,753.1	9.0	
HIGHLAND RECREATION AREA	\$156,938.65	\$286,675.60	(\$129,736.95)	54.74%	\$326,844	\$375,099	12,523.7	6.0	
SEVEN LAKES STATE PARK	\$264,946.31	\$359,558.20	(\$94,611.89)	73.69%	\$333,151	\$379,736	13,285.1	6.4	
IONIA RECREATION AREA	\$314,755.88	\$407,619.20	(\$92,863.32)	77.22%	\$433,139	\$492,059	17,697.8	8.5	
HOEFT STATE PARK	\$163,605.41	\$254,515.25	(\$90,909.84)	64.28%	\$257,662	\$331,502	10,249.5	4.9	
METAMORA HADLEY RECREATION	\$414,033.79	\$488,622.62	(\$74,588.83)	84.73%	\$504,707	\$577,523	20,511.8	9.9	
WELLS STATE PARK	\$220,236.77	\$285,165.44	(\$64,928.67)	77.23%	\$306,199	\$395,373	12,094.5	5.8	
PROUD LAKE RECREATION AREA	\$437,172.72	\$500,798.50	(\$63,625.78)	87.30%	\$520,478	\$589,184	20,555.4	9.9	
PONTIAC LAKE RECREATION ARE	\$524,353.92	\$584,887.06	(\$60,533.14)	89.65%	\$617,334	\$702,948	27,979.5	13.5	
RIFLE RIVER R. A.	\$316,888.74	\$372,165.92	(\$55,277.18)	85.15%	\$392,436	\$446,428	17,047.2	8.2	
BARAGA STATE PARK	\$103,853.66	\$153,819.52	(\$49,965.86)	67.52%	\$212,172	\$268,236	7,405.9	3.6	
TWIN LAKES STATE PARK	\$78,485.54	\$127,967.45	(\$49,481.91)	61.33%	\$133,511	\$151,700	6,102.0	2.9	
INDIAN LAKE STATE PARK	\$340,325.64	\$374,911.48	(\$34,585.84)	90.77%	\$413,406	\$472,274	15,028.5	7.2	
HOLLY RECREATION AREA	\$425,620.44	\$457,600.15	(\$31,979.71)	93.01%	\$459,188	\$523,268	19,140.1	9.2	
VAN RIPER STATE PARK	\$246,561.68	\$276,803.71	(\$30,242.03)	89.07%	\$310,917	\$353,189	12,666.8	6.1	
McLAIN STATE PARK	\$294,399.90	\$321,909.70	(\$27,509.80)	91.45%	\$334,952	\$380,013	14,433.5	6.9	
CHEBOYGAN STATE PARK	\$143,741.57	\$168,900.80	(\$25,159.23)	85.10%	\$171,350	\$227,072	7,367.8	3.5	

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CLEAR LAKE STATE PARK	\$243,781.04	\$264,555.30	(\$20,774.26)	92.15%	\$296,266	\$339,536	11,078.6	5.3	
ONAWAY STATE PARK	\$108,093.32	\$122,737.75	(\$14,644.43)	88.07%	\$121,755	\$138,838	6,427.3	3.1	
MUSKALLONGE STATE PARK	\$191,950.22	\$202,552.08	(\$10,601.86)	94.77%	\$192,526	\$246,858	8,884.4	4.3	
FT. WILKINS STATE PARK	\$300,145.77	\$304,808.94	(\$4,663.17)	98.47%	\$335,529	\$378,456	11,126.1	5.3	
BEWAHIC STATE PARK	\$122,542.99	\$124,144.23	(\$1,601.24)	98.71%	\$150,871	\$192,860	6,227.3	3.0	
LAKE GOGEBIC STATE PARK	\$142,104.36	\$143,983.75	(\$1,879.39)	98.69%	\$122,480	\$134,439	5,877.0	2.8	
WILSON STATE PARK	\$228,542.81	\$226,367.48	\$2,175.33	100.96%	\$222,154	\$281,705	9,309.4	4.5	
HAYES STATE PARK	\$431,661.93	\$426,662.52	\$4,999.41	101.17%	\$487,499	\$552,614	17,768.8	8.5	
PINCKNEY RECREATION AREA	\$704,441.68	\$699,632.05	\$4,809.63	100.69%	\$750,309	\$823,807	28,066.9	13.5	
FISHERMAN ISLAND STATE PARK	\$71,549.13	\$58,681.81	\$12,867.32	121.93%	\$72,909	\$83,546	3,085.6	1.5	
LAKE HUDSON RECREATION AREA	\$77,232.93	\$60,891.90	\$16,341.03	126.84%	\$58,803	\$67,560	2,587.5	1.2	
CRAIG LAKE STATE PARK	\$30,605.09	\$14,086.58	\$16,516.51	217.26%	\$14,839	\$16,876	744.1	0.4	
LEELANAU STATE PARK	\$179,487.72	\$149,102.36	\$30,385.36	120.38%	\$155,836	\$169,561	5,432.0	2.5	
HARTWICK PINES STATE PARK &	\$379,332.92	\$346,495.37	\$32,837.55	109.44%	\$375,590	\$530,116	11,685.4	5.6	
BRIMLEY STATE PARK	\$293,447.10	\$248,213.06	\$35,234.04	120.17%	\$297,544	\$346,115	11,111.5	5.2	
ORTONVILLE RECREATION AREA	\$54,140.08	\$9,252.74	\$44,887.34	159.74%					
SLEEPER STATE PARK	\$385,463.54	\$336,717.75	\$48,745.79	114.52%					
NORTH	\$9,107.94	\$924.95	\$8,182.99	108.25%					

State Park and Recreation Financial Detail and Performance									
Source: 2004 Report Michigan State Parks Citizen Committee									
	Park Revenue Total	FY04 Park Expenditures Only	Difference Park Revenue to Park Expenditures	Ratio Revenue to Expenditures	FY05 Recommended Budget	Recommended Optimal Budget	FY04 Hours of Effort	FY04 FTE's	
SLEEPY HOLLOW STATE PARK	\$467,488.44	\$376,385.68	\$91,122.76	124.21%	\$388,551	\$440,186	15,335.4	7.4	
OTSEGO LAKE STATE PARK	\$347,354.03	\$244,230.15	\$103,123.88	142.22%	\$272,988	\$312,041	12,307.3	5.9	
MITCHELL STATE PARK & VISITOR	\$512,281.98	\$408,217.20	\$104,064.78	125.49%	\$409,825	\$462,282	17,832.5	8.6	
ORCHARD BEACH STATE PARK	\$334,741.10	\$209,941.40	\$124,799.70	159.45%	\$214,573	\$274,784	9,470.3	4.6	
PETOSKEY STATE PARK	\$449,342.85	\$293,655.90	\$155,686.95	153.02%	\$305,061	\$348,498	12,782.2	6.1	
FT. CUSTER RECREATION AREA	\$599,823.89	\$435,606.07	\$164,217.82	137.70%	\$547,317	\$601,723	18,361.3	8.8	
SILVER LAKE STATE PARK & ORV	\$1,111,700.34	\$938,190.45	\$173,509.89	118.49%	\$546,890	\$603,957	42,194.0	20.3	
BURT LAKE STATE PARK	\$521,751.06	\$346,364.83	\$175,386.23	150.64%	\$350,484	\$396,719	15,605.8	7.5	
STERLING STATE PARK	\$708,028.17	\$524,428.87	\$183,599.30	135.01%	\$678,839	\$748,113	22,515.5	10.8	
HOFFMASTER STATE PARK & VISIT	\$880,842.76	\$672,221.98	\$208,620.78	131.03%	\$678,265	\$745,157	24,446.9	11.8	
INTERLOCHEN STATE PARK	\$556,679.21	\$346,782.83	\$209,896.38	160.53%	\$465,275	\$529,709	14,078.4	6.8	
YANKEE SPRINGS RECREATION A	\$885,897.39	\$672,955.61	\$212,941.78	131.64%	\$697,846	\$764,162	26,504.2	12.7	
ALOHA STATE PARK	\$455,245.85	\$241,379.08	\$213,866.77	188.60%	\$243,598	\$315,308	9,133.6	4.4	
TAWAS POINT STATE PARK	\$542,188.00	\$298,274.17	\$243,913.83	181.78%	\$374,837	\$428,462	12,925.3	6.2	
WILDERNESS STATE PARK	\$651,173.98	\$399,673.10	\$251,500.88	162.93%	\$426,453	\$484,006	17,336.6	8.3	
TAHUAMENON FALLS STATE PA	\$967,029.37	\$715,121.24	\$251,908.13	135.23%	\$735,625	\$806,689	29,194.8	14.0	
MEARS STATE PARK	\$494,581.66	\$241,348.08	\$253,233.58	204.92%	\$232,837	\$292,855	10,600.0	5.1	
LAKEPORT STATE PARK	\$659,878.69	\$393,420.63	\$266,458.06	167.73%	\$418,831	\$479,266	15,221.2	7.3	
TRAVERSE CITY STATE PARK	\$703,066.84	\$416,979.33	\$286,087.51	168.61%	\$405,925	\$484,329	16,162.9	7.8	
MUSKEGON STATE PARK	\$901,121.81	\$604,714.29	\$296,407.52	149.02%	\$606,496	\$693,403	28,637.8	13.8	
SOUTH HIGGINS LAKE STATE PAR	\$932,212.52	\$563,877.73	\$368,334.79	165.32%	\$593,130	\$673,465	25,414.1	12.2	
WARREN DUNES STATE PARK	\$1,086,059.29	\$685,612.26	\$400,447.03	158.41%	\$724,283	\$798,763	25,854.6	12.4	
LUDINGTON STATE PARK & VISITC	\$1,352,616.19	\$774,200.77	\$578,415.42	174.71%	\$835,624	\$920,994	30,329.4	14.6	
GRAND HAVEN STATE PARK	\$1,032,868.99	\$419,946.70	\$612,922.29	245.95%	\$423,504	\$488,752	18,287.1	8.8	

How Many Divers Are There?

— and why you should care

from the May, 2007 issue of *Undercurrent*

If there is such a thing as a diver parlor game, it's chatting about just how many active divers there are in the U.S. It's a good game, but the truth is, nobody knows. The only group that could actually determine the number, the Diving Equipment and Marketing Association (DEMA), says it has never been tasked with keeping a census of all certified divers so consequently it has no concrete figures on the number of certified divers in the U.S.

The number is important for at least two reasons. First, people in the diving business or wishing to enter it create business plans that need to be based on the number of potential customers, that is, active divers. It's odd that DEMA, an organization with the mission to promote diving and sell more products to a growing number of divers, claims not to have this number. Second, knowing exactly how many divers there are will make accident and fatality statistics accurate.

Three and a Half Million Divers in 1988?

Nearly twenty years ago, conventional wisdom was that 3.5 million Americans were active sport divers, defined then as divers making at least three dives year, which isn't much activity. That figure came from an estimate by one individual, John McAniff, the sole employee of the National Underwater Diving Accident Data Center (NUDADC) at the University of Rhode Island, which soon afterwards got scooped up by the Divers Alert Network (DAN). However, Robert Monaghan, a NAUI and PADI instructor with doctoral training in statistical modeling, argued in a series of *Undercurrent* articles that the active diver population was actually closer to 700,000. Subsequently, McAniff told *Undercurrent* that the 3.5 million number was "purely my guesstimates and have been arrived at without any insider information, and may well be inaccurate."

Undercurrent looked at other perspectives. The National Sporting Goods Dealers Association claimed that in 1986, 1.6 million Americans made one or more dives (including resort course dives, clearly a larger population than the "active divers" guesstimated by the NUDADC). Paul Tzimoulis, publisher of the then-dominant dive publication *Skin Diver*, told us that he assumed an active diver market of roughly 1.1 million when promoting the magazine. *Undercurrent*, combining data from several sources, calculated an active diver base approaching 600,000 in the late 1980s.

Of course, you can't calculate the number of divers if you don't know the number initially certified or the dropout rate. It was at a time when PADI alone was claiming to certify 400,000 divers annually (a grossly inflated number, as we'll show later). Monaghan used that number, but claimed that the dropout rate was close to 80 percent. PADI objected to such a high figure, though that statistic had come from a PADI publication. Based on PADI student surveys, the agency posited that the actual rate was somewhere "around 40 percent after three years." A research firm hired by DEMA conducted a diver erosion study that proclaimed a dropout rate of only 15 percent after 12 months, with 47 percent of divers still active after four years.

Not Much Change 20 Years Later

Today, in the 21st century, you'd expect the industry to have a better handle on things, right? Well, not so fast, Buck Rogers. Numbers are still hard to find and certify because dive organizations are tight-lipped about their data, refusing to share it with the public and even with each other. "The industry is under-reported," says Mark Young, publisher of *Dive Center Business*. "We don't know much about ourselves."

Dive organizations are tight-lipped, refusing to share their data with the public and even with each other.

Renee Duncan of DAN told us, "There's really no true number for certified divers because this is not a regulated industry, so it will always be a squishy figure. We've quoted the 1 to 3 million number on our diving fatality reports."

Until this spring, PADI's website addressed the question "How Many Active Divers Are There in the US?" by noting that it is one of the most frequently asked questions PADI America receives. The most recent estimates posted (for the calendar year 2000) ranged from 1.6 to 2.9 million, but they were recently taken off the site (PADI did not respond to multiple phone calls we made to discuss these numbers). Nor does NAUI, SDI/TDI or SSI list figures on their web sites.

William Cline, founder of the diving consultancy firm Cline Group, says he extrapolated several sources to come up with the industry's accepted number of three million divers in the U.S., but he believes there are actually more. "If you look at the total number of divers within the U.S. that have been certified over the past 25 years, take into account attrition (by natural causes), and use an average certification figure escalating from 1980, considered the beginning of the real U.S. growth for scuba, you end up with six million certified, living divers in the U.S."

"However, and there is a big however to this number," he adds, "No one speaks about the masses that are certified but only occasionally participate—in most cases, never since their certification."

Dane Farnum, once the publisher of *Scuba Diver* and now in charge of it and several other magazines with F+W Publications, told *Undercurrent* that he figures there are about a million people who make five or more dives a year.

How Many Divers Get Certified?

In 1988, PADI reported certifying 400,000, but it was clearly an inflated number that included all certifications - e.g., rescue diver - and dual certifications (it was common for people to complete one course, but get cards from two agencies). Bret Gilliam, who founded the training agency TDI/SDI, started the magazine *Fathoms* and was once the CEO of dive gear manufacturer UWATEC, says that dive agencies routinely blow smoke up people's skirts, and PADI's figures were "far from the truth." No other agencies reported the numbers they certified, but PADI was not the dominant training agency that it is today, so 800,000 new divers a year might have easily been assumed by McAniff.

In 2002, four agencies - PADI, SSI, NAUI and SDI - agreed to share data. They reported certifying 177,000 new divers, but it is unlikely that certifications have dropped 50 percent since PADI's claim. But McAniff's 3.5 million diver guess in 1988 was clearly based on an inflated number, easily three times too high.

Unfortunately, certification data in the future won't be much good. While DEMA's certification audit gets data from four big agencies, there are 10 total and six refuse to play fair. Mark Young says one agency is planning to bail out because of political reasons. "Plus, the numbers they send in

are not a complete picture because the agencies themselves question the numbers and how they're gotten."

"We're not attracting as many new divers, we're a graying population, and younger people are going for more extreme sports."

What's An "Active Diver"?

The dive industry has no consensus about the definition of an active diver. "No one has defined it. Is it once a year? Every two years?" says Young. "And if you do define it, how do you know who fits that category? If asked at a party, someone will say he's a diver when in reality the last time he dived was three years ago. Your certification card is good forever. A pilot license requires a medical exam every two years, but there is no equivalent for dive recertification."

Then there's the issue of how different parts of the dive industry track the divers who matter most to them. "To *Undercurrent*, it's someone who plunks down \$59 a year," Cline says. "To a dive resort, it's someone who plunks down \$2,000 every couple of years. To Scubapro, it's someone buying a snorkel or fins, while to a certifying agency it is someone taking training or buying books."

The participation rate is also nebulous, Cline says. "We evolved from a 'dive once a month' to a 'one dive vacation a year' to be considered active." The National Sporting Goods Association, which does an annual sports participation study, shows the number of divers at 2.1 million; however, it just asks people, "Did you participate in scuba diving on one or more occasions?" In polls like these, braggarts and wishful thinkers inflate the numbers substantially.

The other methods used to get diver counts typically get lower figures. By using market share data from resort destinations and extrapolating for countries divers came from, the U.S. has 1.5 million traveling divers, not taking resort courses into account. Insiders estimate that paid dive magazine subscriptions fall well below half a million.

Dropout Rates

How many people stop scuba diving and when is either unknown or the industry's best kept secret. When asked about dropout rates, DEMA spokesperson Lisa Blau said, "With regards to the number of new divers certified offsetting the number of people leaving the sport, it is well known and confirmed by two separate studies conducted by two different companies, several years apart, that more than half the divers certified in a given year are still active five to seven years following their initial certification. By calculation, the number entering the sport would be far greater than the number becoming inactive." But when *Undercurrent* asked for the sources of those two studies, Blau said she was unable to provide them. We could find no one else who knew of these studies.

Though DAN is seeing its membership grow, spokesperson Renee Duncan says the industry is flat right now. "Everyone acknowledges that. We're not attracting as many new divers, we're a graying population, and younger people seem to be going for more extreme sports." Diving is no longer considered an extreme sport.

Across the pond, the English seem to agree. The British Sub Aqua Club posted this gloomy outlook on its website. "Over the past few years, the UK Diving industry has been challenged by deteriorating business conditions. Consumer habits are different and markets have changed. The traditional description of a UK Diver, and likely member of the British Sub-Aqua Club, has shifted. Increasingly individuals take up diving as one of a range of activities experienced for a short time before moving on to something else. New divers often take to the water for the first time abroad and are less inclined to continue when faced with conditions in UK water."

All sorts of numbers are bandied about for the actual dropout rate after the first year, ranging from as low as 40 percent to as high as 80 percent, but nothing is official. When describing scuba classes on his website, Mark Scott, owner of Mark's Water Fantasy Diving in Maui, states that PADI has the highest dropout rate of any certification agency. When asked where he got that statistic, Scott replied that he saw it on several websites, although *Undercurrent* didn't find it posted anywhere else.

So, for comparison, let us cite *Undercurrent* renewal statistics. After the first year of subscribing, 40 percent of our subscribers continue. After the second year, 65 percent stay with us and after the third year, 85 percent remain. In the magazine business, that is exceptionally good, and those numbers are ones to be proud of. However, it also means that after three years, only 22 percent of initial subscribers remain. Now, over the years many of these subscribers return - - they start diving again, start traveling, whatever. But we can't count them as active subscribers if they're not paying money and so our dropout rate, after three years, is 78 percent. We suspect the dive industry would be delighted to have rates like these.

So How Many Divers Are There?

If you define active as taking five or more dives a year, which seems reasonable, we think 1.2 million, plus or minus 15 percent, might hit it pretty close. And we will be pleased to publish any data to the contrary.

-- Ben Davison